

### REMARKS

Claims 22-40 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

The specification was objected to for allegedly having a title that was not descriptive. In light of the present amendments to the title, Applicants submit the objectionable matter has been addressed. Withdrawal of the objection is earnestly requested.

Claims 26, 28, 34 and 36 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 22-24, 29-32 and 37-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Yablon* (WO 99/45687) in view of ITU-T Recommendation H.245, sections 5.2-5.9 (XP-002199601). Applicant respectfully traverse this rejection.

Specifically, the cited art, alone or in combination, fails to disclose the feature of "sending device information from the first telecommunications device to the second telecommunications device which indicates a type of subscriber data that the first telecommunication device wants to receive" as recited in independent claim 22 and similarly recited in independent claims 30 and 38.

Regarding *Yablon*, the reference discloses a "handshake" procedure for establishing a call between a first and a second telecommunications device (FIG. 16; page 23, lines 10 to 21). According to step 1 of FIG. 16, the primary user's device informs the caller's user device about the type of information the primary user's device is capable of receiving so that the caller's user device may only transmit the proper information to the primary user's device. This configuration comports with the ITU-T Recommendation that teaches that, in order to process appropriately received multimedia signals, a capability set containing the total capability of a terminal to receive and decode various signals is made known to other terminal.

However, the above systems do not teach or suggest to send device information from one telecommunication device to another indicating a type of subscriber data that the first telecommunications device wants to receive. Under the aforementioned systems, none of the subscribers assigned to one of the terminals or telecommunications devices can determine which information a user wants to receive respective of other subscriber. As an example, when


transmitting multimedia data (e.g., video) during a call set-up process, a subscriber will receive such data, regardless of the fact that the subscriber did not want to receive the data in the first place. Under *Yablon* and the ITU recommendation, the terminal communicates to another terminal or telecommunications device that it is able to receive video data, but nothing is provided for the management and blocking of the data. In the case of devices that are limited by processing and/or electrical power, such unwanted reception of video data would needlessly consume processing capability and lead to unnecessary consumption of energy.

Furthermore, *Yablon* is silent regarding minimizing the data flow between two terminals or telecommunications devices, particularly in light of FIG. 16, where the exchanging of device information (see step 2, page 23, lines 15 to 18), results in video data being transmitted by one of the telecommunications devices to the other. As a result of not being able to receive such data, a reply message is sent by the receiving telecommunications device to indicate that the information is not capable of being received. This configuration is a not effective way of exchanging device information generating a high data flow, and also teaches away from the recited claims.

In light of the above, Applicant respectfully submits that the rejection under 35 U.S.C. §103 is improper and should be withdrawn. Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1043) on the account statement.

Respectfully submitted,

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